

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CLODUALDO JASSO-MARTINEZ,
Plaintiff,
v.
MARIA ELENA RODRIGUEZ
LARA, *et al.*,
Defendant

Case No. 3:22-cv-00185-MMD-CSD
ORDER

Pro se Plaintiff Clodualdo Jasso-Martinez brings this action against Defendants Maria Elena Rodriguez Lara, Martha Lucero Rodriguez Lara, Luis Fernando Rodriguez Lara, and the Family Division of the Second Judicial District Court of Nevada. (ECF No. 8.) Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Craig S. Denney (ECF No. 13), recommending that the Court dismiss the case with prejudice and deny Jasso-Martinez’s petition to prosecute this action to trial. Jasso-Martinez’s objection to the R&R was due October 5, 2022. To date, no objection has been filed. For this reason, and as explained below, the Court adopts the R&R in full.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate judge’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); see also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory

1 Committee Notes (1983) (providing that the Court “need only satisfy itself that there is no
2 clear error on the face of the record in order to accept the recommendation.”).

3 Because there was no objection to the R&R, the Court need not conduct de novo
4 review, and is satisfied that Judge Denney did not clearly err. Judge Denney previously
5 screened Jasso-Martinez’s complaint and granted him leave to amend to address the
6 deficiencies in the complaint. (ECF No. 5.) However, Jasso-Martinez has failed to cure
7 the deficiencies in his Amended Complaint. (ECF No. 8.) The Amended Complaint is
8 confusing, contains conclusory and vague statements, and does not include sufficient
9 factual matter. (*Id.*) See *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007); *Ashcroft v.*
10 *Iqbal*, 556 U.S. 662, 678 (2009). Hence, Judge Denney correctly found that Jasso-
11 Martinez failed to state a claim upon which relief can be granted, and the Court adopts
12 the R&R in full. (ECF No. 13.)

13 It is therefore ordered that Judge Denney’s Report and Recommendation (ECF
14 No. 13) is accepted and adopted in full.

15 It is further ordered that Jasso-Martinez’s petition to prosecute (ECF No. 12) is
16 denied.

17 It is further ordered that this case is dismissed with prejudice, as amendment is
18 futile.

19 The Clerk of Court is directed to enter judgment accordingly and close this case.

20 DATED THIS 7th Day of October 2022.

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23 MIRANDA M. DU
24 CHIEF UNITED STATES DISTRICT JUDGE
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